



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

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**MEMORANDUM**

**TO:** David K. Paylor  
Director, Department of Environmental Quality

**FROM:** Elizabeth A. Andrews  
Assistant Attorney General

**DATE:** March 16, 2010

**RE:** Proposed Regulations, Small Renewable Energy Projects (Wind)  
Permit by Rule

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I have reviewed the above-referenced proposed regulations and it is my opinion that the Department of Environmental Quality has authority to promulgate these proposed regulations based upon applicable law, including Article 5 of Chapter 11.1 of Title 10.1 of the **CODE** of Virginia.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

